

IN THE HIGH COURT AT CALCUTTA  
SPECIAL JURISDICTION (CONTEMPT)  
ORIGINAL SIDE

CC/53/2023  
WPO/635/2017  
AKSHYA KUMAR SARANGI  
VS  
NARAYAN SWAROOP NIGAM AND ANR.

BEFORE:

The Hon'ble JUSTICE ARIJIT BANERJEE

The Hon'ble JUSTICE M.V. MURALIDARAN

Date : 22<sup>nd</sup> January, 2024. .

*Appearance:*

*Mr. Srikanta Dutta, Adv.*

*Ms. Poulomi Banerjee, Adv.*

*.....for petitioner*

*Mr. T.M. Siddique, AGP.*

*Mr. Tanoy Chairaborty, Adv.*

*Mr. Saptak Sanyal, Adv.*

*...for Res-alleged contemnor no. 1.*

*Mr. Somnath Ganguli, Adv.*

*Ms. Sukalpa Seal, Adv.*

*Mr. Paritosh Sinha, Adv.*

*...for the respondent alleged contemnor  
no.2.*

The Court:- An affidavit affirmed on August 25, 2023, described as “Affidavit showing Compliance”, has been filed on behalf of respondent no.1. In paragraph 2 of the said affidavit, it is stated as follows:

*“2. That after receiving the order of the Hon’ble High Court At Calcutta regarding adverse effect for using lead in the study method of Braille for the education of Visually Impaired/challenged students*

*dated 16.05.2023, directing the State Government to conduct medical tests on all the Visually Impaired/challenged students, who have been using Braille method with lead component till date, I have formed an expert Committee consisting of :-*

*Prof. Ajoy Dey Sarkar, Department of Ophthalmology,  
NRS Medical College;*

*Prof. Alak Pandit, Department of Neuro-Medicine, BIN;*

*Prof. Siddhartha Sankar Ray, Department of  
Hematology, IHTM, Kolkata;*

*Prof. Jyotirmoy Pal, Department of General Medicine,  
COM & Sagore Dutta Hospital;*

*Prof. Sudip Kumar Ghosh, Department of Dermatology,  
RGKMCH;*

*Prof. Manab Nandy, Department of Pharmacology,  
Medical College, Kolkata;*

*Prof. Malay Kumar Sinha, Department of Pediatric  
Medicine, IPGMER-SSKM;*

*to conduct study on Braille educational tools and medical tests on Visually Impaired students who have been using Braille method and asked the Expert Committee to submit report within 90 days from the date of its constitution to myself. A copy of the order dated 23.08.2023 with regard to the formation of the Expert Committee is annexed herewith and marked with the letter "A".*

The petitioner has filed an affidavit affirmed on January 15, 2024 in response to the aforesaid affidavit of the respondent no.1.

Referring to such affidavits, learned Advocate for the petitioner says that the Committee that has been constituted by the State Government for conducting medical tests on all students, who have been using 'Braille' method with lead component to find out if they have been affected adversely, does not contain any expert on toxicology. For effective implementation of the order of this Court, at least one Toxicologist should be included in the Committee and the Department of Forensic Medicine and Toxicology, RG Kar Medical College and Hospital, should also be involved. Learned Advocate says that the particular unit is called "Poison Information and Research Centre".

We think learned Advocate has a point. To ascertain whether a student's exposure to lead has had any poisonous effect on the concerned student, it is desirable that a Toxicologist is included in the Committee that has been constituted for the aforesaid purpose. The State should look into the matter and take an appropriate decision in that regard.

Let the Expert Committee, after reconstitution, conduct requisite investigation and submit a report, which shall be filed in Court on the next date.

List the matter once again on March 4, 2024.

(ARIJIT BANERJEE, J)

(M.V. MURALIDARAN, J.)

dg/